

## **REMARKS**

Claims 1-11, 13-21, 23-25, 27-31, and 33-60 are pending in the application. Claims 1-11, 13-21, 23-25, 27-31, and 33-60 stand rejected. Applicants herein amend claims 1, 23, 37-42, and 43-48. No new matter has been added. Applicants herein cancel claims 21, 24-25, 27-31, 33-36, and 49-60 to expedite prosecution. Applicants reserve the right to prosecute the canceled claims in one or more continuations. Applicants request further review and examination in view of the claimed amendments and following remarks.

### ***Related Co-pending Application with Allowable Subject Matter***

Applicants advise the Examiner that a notice of allowance in a related U.S. Application No. 10/646,645 has been received.

### ***Claim Rejections – 35 USC § 112***

Claims 1-11, 13-21, 27-31, and 33-60 stand rejected under 35 U.S.C. § 112, first paragraph. In the Office Action the Examiner stated that the subject matter “categories are themselves items” and “wherein any modifications to the specific Item in a specific Item Folder of the subset are reflected in each Item Folder of the subset” is not supported by the specification. (Office Action at p. 3). The subject matter “categories are themselves items” is clearly supported by at least paragraph [0129] and the subject matter “wherein any modifications to the specific Item in a specific Item Folder of the subset are reflected in each Item Folder of the subset” is clearly supported by at least paragraph [0126]. Accordingly, for at least these reasons Applicants respectfully request reconsideration of the 35 U.S.C. § 112, first paragraph rejections.

Claims 49-54 stand rejected under 35 U.S.C. § 112, second paragraph. In the Office Action the Examiner stated that the subject matter “operable to be a member” is unclear. (Office Action at p. 3). Applicants have canceled claims 49-54, accordingly, the rejections are moot.

Claims 21-25, 27-31, and 33-36 are rejected under 35 U.S.C. § 112, second paragraph. In the Office Action the Examiner stated that the subject matter “capable of” is

unclear. (Office Action at p. 3-4). Applicants have amended claim 23 to depend from claim 1 and canceled claims 21, 22, 24, 25, 27-31, and 33-36, accordingly, the rejections are moot.

Claim 55 is rejected under 35 U.S.C. § 112, second paragraph for lacking proper antecedent for the subject matter “operating system.” (Office Action at p. 4). Claim 55 is canceled, accordingly, the rejection is moot.

***Claim Rejections – 35 USC § 101***

Claims 1-11, 13-21, 23-36, 43-48, 49-54, and 55-60 stand rejected under 35 U.S.C. § 101.

Regarding claim 1, Applicants have amended claim 1 to recite “a processor coupled to a computer readable storage medium, the computer readable storage medium.” Applicants submit that this provides sufficient structure to implement the system. Accordingly, Applicants respectfully request reconsideration of the § 101 rejection of claim 1. Insomuch as dependent claims 2-11, 13-20, and 23 depend directly or indirectly from claim 1 Applicants respectfully request reconsideration of the § 101 rejections of these claims.

Regarding claim 21, Applicants have canceled claim 21 and claims 24, 25, 27-31, and 33-36, Accordingly the § 101 rejections of these claims are moot.

Regarding claim 43, Applicants have amended claim 43 to recite “[a] computer-readable storage medium including processor executable instructions.” Applicants submit that the addition of this subject matter overcomes the § 101 rejection of claim 43. Accordingly, Applicants respectfully request reconsideration of the rejection of claim 43. . Insomuch as dependent claims 44-48 depend directly or indirectly from claim 43 Applicants respectfully request reconsideration of the § 101 rejections of these claims.

Regarding claim 49, Applicants have canceled claim 49 and claims 50-54, Accordingly the § 101 rejections of these claims are moot.

Regarding claim 55, Applicants have canceled claim 55 and claims 56-60, Accordingly the § 101 rejections of these claims are moot.

***Claim Rejections – 35 USC § 103***

Claims 1, 2, 3, 5, 7, 8, 10, 21, 37, 38, 39, 41, 43, 44, 45, 47, 49, 50, 51, 53, 55, 56, 57, and 59 stand rejected under 35 U.S.C. 103 over U.S. Patent Application Publication No. 2004/0199521 to Anglin and further in view of U.S. Patent No. 7,158,962 to Nelson, U.S. Patent No. 6,571,245 to Huang.

Claims 4, 6, 9, 11, 40, 42, 46, 48, 52, 54, 58, and 60 stand rejected under 35 U.S.C. 103 over Anglin and further in view of Nelson, Huang, and U.S. Patent Application Publication No. 2004/0073560 to Edwards. Applicants traverse these rejections.

Regarding claims 21, 24-25, 27-31, 33-36, and 49-60 Applicants have canceled these claims. Accordingly, the rejections of these claims are moot.

**Claim 1**

Claim 1 recites “instructions for an operating system, the operating system including instructions for a database management program, the instructions for the database management program integrated with instructions for a file system, the file system configured to store file data as filestreams and the database management program is configured to generate Items from the file data and expose the Items to a shell of the operating system.” Applicants submit that this subject matter is absent from the cited portions of the art of record. Applicants submit that the cited portions of the art of record show, at most, database management programs that are installed on top of operating systems. This is different than an operating system that includes a database management program that is integrated with a file system. Accordingly, for at least this reason Applicants respectfully request reconsideration of the rejection of claim 1.

Insomuch as dependent claims 2-11, 13-20, and 23 depend directly or indirectly from claim 1 Applicants respectfully request reconsideration of the rejections of these claims.

Independent claim 37 recites “executing an operating system, the operating system including a database management program, the database management program integrated with a file system.” Applicants submit that claim 37 defines over the cited art of record for at

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least similar reasons as claim 1. Accordingly, for at least this reason Applicants respectfully request reconsideration of the rejection of claim 37.

Insomuch as dependent claims 38-42 depend directly or indirectly from claim 37 Applicants respectfully request reconsideration of the rejections of these claims.

Independent claim 43 recites “instructions for an operating system, the operating system including instructions for a database management program, the instructions for the database management program integrated with instructions for a file system.” Applicants submit that claim 43 defines over the cited art of record for at least similar reasons as claim 1. Accordingly, for at least this reason Applicants respectfully request reconsideration of the rejection of claim 43.

Insomuch as dependent claims 44-48 depend directly or indirectly from claim 43 Applicants respectfully request reconsideration of the rejections of these claims.

### **CONCLUSION**

Applicants request the Examiner reconsider the rejections and issue a Notice of Allowance of all the claims.

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/David M. Platz/

David M. Platz

Registration No. 60,013

Woodcock Washburn LLP  
Cira Centre  
2929 Arch Street, 12th Floor  
Philadelphia, PA 19104-2891  
Telephone: (215) 568-3100  
Facsimile: (215) 568-3439